



S&H Form: (2/01)  
DOCKET NO. 21.1997-C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Susumu KINOSHITA et al.

Serial No: 10/647,321

Group Art Unit: 3663

Confirmation No. 2029

Filed: August 26, 2003

Examiner: Ari M Diacou

For: OPTICAL AMPLIFICATION METHOD AND DEVICE USABLE WITH BANDS OTHER  
THAN THE C-BAND

**REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

It is requested that the priority data on the Official Filing Receipt be corrected. The correct priority data is a **Continuation Application of United States Patent Application Serial No. 09/790,507 filed on February 23, 2001**, as is evidenced by the executed Declaration, attached to the application as filed and the claim for priority in Item 21 of the application transmittal. For the convenience of the Patent and Trademark Office, attached is a photocopy of the original receipt on which the errors have been noted in red.

It is requested that a corrected Official Filing Receipt be issued in this application.

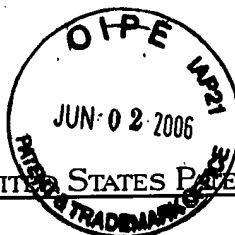
Respectfully submitted,

STAAS & HALSEY LLP

Date: May 30 2006

By: Mark J. Henry  
Mark J. Henry  
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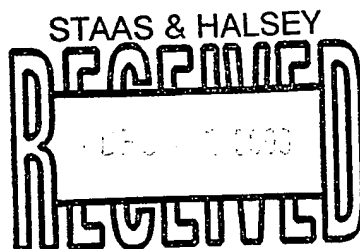
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/647,321	08/26/2003	3663	750	21.1997-C	12	1	1

CONFIRMATION NO. 2029

21171  
 STAAS & HALSEY LLP  
 SUITE 700  
 1201 NEW YORK AVENUE, N.W.  
 WASHINGTON, DC 20005



FILING RECEIPT



\*OC000000011359861\*

Date Mailed: 11/26/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Susumu Kinoshita, Plano, TX;  
 Shinya Inagaki, Shinjyuku, JAPAN;

**Assignment For Published Patent Application**

Fujitsu Limited, Kawasaki, JAPAN;

**Domestic Priority data as claimed by applicant****Foreign Applications**

JAPAN 2002-046467 02/23/2000

Continuation Application of  
 United States Patent Application Serial

NO. 09/790,507 filed on

If Required, Foreign Filing License Granted: 11/25/2003

February 23, 2001

Projected Publication Date: 03/04/2004

Non-Publication Request: No

Early Publication Request: No

**Title**

Optical amplification method and device usable with bands other than the C-band

**Preliminary Class**

359

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



S&amp;H Form: PTO/SB/05 (2/02)

**CONTINUING  
(1.53(b)) UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for continuing applications under 37 CFR 1.53(b))

Attorney Docket No.  
21.1997-C

First Named Inventor:  
Susumu KINOSHITA et al.

Title: **OPTICAL AMPLIFICATION METHOD AND DEVICE  
USABLE WITH BANDS OTHER THAN THE C-BAND**

Express Mail Label No.

**APPLICATION  
ELEMENTS**

See MPEP chapter 600  
concerning utility  
patent application contents.

**ADDRESS TO:**

**Commissioner for Patents  
Box Patent Application  
PO Box 1450  
Alexandria, VA 22313-1450**

1. ☒ Fee Transmittal Form
2. ☒ Specification, Claims & Abstract..... [Total Pages: 46]
3. ☒ Drawing(s) (35 USC 113)..... [Total Sheets: 12] [FIGS. 1-13]
4. ☒ Oath or Declaration..... [Total Pages: 1]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))
5. ☐ This application is filed by fewer than all the inventors named in the prior nonprovisional application.
  - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
6. ☐ Verified Statement Claiming Small Entity Status
7. ☒ Incorporation by Reference (usable if Box 4b is checked).  
The entire disclosure of the prior application (identified in Item 21), from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
8. ☒ Applicant claims foreign priority benefit to: Japanese Application 2002-046467 filed February 23, 2000
9. ☐ Application Data Sheet. See 37 C.F.R. 1.76
10. ☐ CD-Rom or CD-R in duplicate, large table or Computer Program (Appendix)
11. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. ☐ Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statement verifying identity of above copies
12. ☒ Assignment to Fujitsu Limited of Kawasaki, Japan at Reel 011910, Frame 0608  
☒ for publication of assignee information under 37 CFR 1.215(b)

**ACCOMPANYING APPLICATION PARTS**

13. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
14. ☐ English Translation Document (if applicable)
15. ☒ Foreign priority benefit under 35 U.S.C. §119 is claimed.
  - a. ☒ Certified Copy of Priority Document(s) filed in prior application No. 09/790,507.
  - b. ☐ Certified Copy of Priority Document(s) enclosed.
  - c. ☐ Certified Copy of Priority Document(s) to follow.
16. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
17. ☒ Preliminary Amendment
  - a. ☐ enclosed herewith.
  - b. ☒ incorporated herein (see Box 21).
18. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
19. ☐ Request and Certification for Nonpublication under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
20. ☐ Other:

**21. CONTINUING APPLICATION**, check appropriate box and supply the requisite information below:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: 09/790,507.

Prior application information: Examiner: HELLNER, MARK  
Group/Art Unit: 3663


**Preliminary Amendment:**

- ☒ Cancel in this application original claims 2-34 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☒ Amend the specification by inserting before the first line the sentence:--This application is a continuation of application number 09/790,507, filed February 23, 2001, now allowed.--

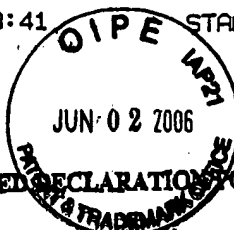
**22. NEW CORRESPONDENCE ADDRESS CUSTOMER NO. 21,171****21171**

PATENT TRADEMARK OFFICE

**23. SIGNATURE OF ATTORNEY OR AGENT**

NAME	Mark J. Henry	REGISTRATION NO.	36,162
SIGNATURE		DATE	Aug 26, 2003

S&amp;H Form (Rev. 7/00)



UNITED STATES

Docket No.: 21.1997

## COMBINED DECLARATION AND POWER OF ATTORNEY FOR UTILITY/DESIGN PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

OPTICAL AMPLIFICATION METHOD AND DEVICE USABLE WITH BANDS OTHER THAN THE C-BAND

the specification of which is attached hereto, unless the following box is checked:

☐ was filed on \_\_\_\_\_ as United States Application Number or PCT International Application Number \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefit(s) under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

<u>2000-046467</u>	<u>Japan</u>	<u>23 February, 2000</u>	<input type="checkbox"/>
(Number)	(Country)	Day/Month/Year Filed	

_____	_____	_____	<input type="checkbox"/>
(Number)	(Country)	Day/Month/Year Filed	

I hereby claim the benefit under 35 U.S.C. § 120 or § 119(c) of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status - patented, pending, abandoned)

_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status - patented, pending, abandoned)

I hereby appoint the attorneys and agents of Staas & Halsey LLP under USPTO Customer No. 21,171 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:



21171

PATENT TRADEMARK OFFICE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Susumu KINOSHITAInventor's Signature [Signature] Date February 16, 2001Residence Plano, Texas Citizenship JapanMailing Address c/o Fujitsu Network Communications, Inc., 2801 Telecom Parkway, Richardson, Texas 75082Full name of second joint inventor, if any Shinya INAGAKISecond Inventor's Signature [Signature] Date February 19, 2001Residence Shinjyuku, Japan Citizenship JapanMailing Address c/o FUJITSU LIMITED, 1-1, Kamikodanaka 4-chome, Nakahara-ku, Kawasaki-shi, Kanagawa 211-8588, Japan